

## 1 HOUSE BILL NO. 697

2 INTRODUCED BY J. KASSMIER

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING LANDOWNER REIMBURSEMENTS FOR CROP  
 5 DAMAGE BY WILDLIFE IN CERTAIN HUNTING DISTRICTS; ~~PROVIDING REIMBURSEMENT FUNDING~~  
 6 ~~FROM FEES COLLECTED TO ACQUIRE AND MAINTAIN HABITAT; AND AMENDING SECTION 87-1-242,~~  
 7 MCA-LIMITING TOTAL REIMBURSEMENTS PER YEAR TO \$3 MILLION; ALLOWING AUTOMATIC  
 8 INCREASES IN TOTAL REIMBURSEMENTS; AND REQUIRING PUBLIC HUNTING TO OBTAIN A  
 9 REIMBURSEMENT."

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 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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 13 NEW SECTION. Section 1. Landowner reimbursements -- department review -- fee. (1) If the  
 14 commission limits the number of permits available for a species in a hunting district where the population of that  
 15 species exceeds 200% of the sustainable population established pursuant to 87-1-323, landowners in that  
 16 district may apply for reimbursement of crop damage. To be eligible for cost reimbursement, a landowner shall  
 17 submit:

18 (a) an application describing the loss, allegations, and reasonable documentation supporting the  
 19 involvement of the species in question;

20 (b) a monetary estimate of damages from a certified crop adjuster; ~~and~~

21 (C) EVIDENCE THAT THE LANDOWNER ALLOWS PUBLIC HUNTING OF THE SPECIES FOR WHICH THE DAMAGE IS  
 22 BEING SOUGHT; AND

23 ~~(e)(D)~~ a \$50 filing fee.

24 (2) The landowner seeking reimbursement is responsible for costs incurred to complete the  
 25 requirements of subsection (1).

26 (3) The department shall review reimbursement requests in the order received. The department may  
 27 grant, modify, or deny reimbursement requests. TOTAL REIMBURSEMENTS ARE LIMITED TO \$3 MILLION PER  
 28 CALENDAR YEAR. IF THE LIMIT IS REACHED IN A CALENDAR YEAR, THE DEPARTMENT SHALL INCREASE TOTAL

1 REIMBURSEMENTS THE NEXT YEAR BY 20%.

2 ~~(4) Reimbursements made pursuant to this section are paid by funds collected pursuant to 87-1-242.~~

3 (4) THE LANDOWNER SEEKING REIMBURSEMENT MUST ALLOW PUBLIC HUNTING ON THE PROPERTY FOR WHICH  
4 A CROP DAMAGE CLAIM IS MADE.

5 (5) FOR THE PURPOSES OF THIS SECTION, "PUBLIC HUNTING" MEANS HUNTING BY ONE OR MORE PERSONS  
6 WHO HOLD A HUNTING LICENSE ISSUED BY THE DEPARTMENT FOR THE SPECIES CAUSING THE DAMAGE.

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8 **Section 2.** Section 87-1-242, MCA, is amended to read:

9 ~~"87-1-242. (Bracketed language in subsection (3) effective October 1, 2021) Funding for wildlife~~

10 **habitat.** ~~(1) The amount of money specified in this subsection from the sale of each hunting license or permit~~  
11 ~~listed must be used exclusively by the commission to secure, develop, and maintain wildlife habitat, subject to~~  
12 ~~appropriation by the legislature:~~

13 ~~(a) Class B-10, nonresident combination, \$77;~~

14 ~~(b) Nonresident antelope, \$20;~~

15 ~~(c) Nonresident moose, \$20;~~

16 ~~(d) Nonresident mountain goat, \$20;~~

17 ~~(e) Nonresident mountain sheep, \$20;~~

18 ~~(f) Class D-1, nonresident mountain lion, \$20;~~

19 ~~(g) Nonresident black bear, \$20;~~

20 ~~(h) Nonresident wild turkey, \$10;~~

21 ~~(i) Class AAA, combination sports, \$7;~~

22 ~~(j) Class B-11 nonresident deer combination, \$200.~~

23 ~~(2) Twenty percent of any increase in the fee for the Class B-7 license or any license or permit listed~~  
24 ~~in subsection (1) must be allocated for use as provided in subsection (1).~~

25 ~~(3) Eighty percent of the money allocated by this section, [together with money from marijuana taxes~~  
26 ~~deposited under 16-12-111 and] together with the interest and income from the money, must be used to secure~~  
27 ~~wildlife habitat pursuant to 87-1-209.~~

28 ~~(4) Twenty percent of the money allocated by this section must be used as follows:~~

1           ~~(a) up to 50% a year may be used for development and maintenance of real property used for wildlife~~  
2 ~~habitat and to pay landowner reimbursements granted pursuant to [section 1] ; and~~

3           ~~(b) the remainder and any money not allocated for development and maintenance under subsection~~  
4 ~~(4)(a) by the end of each odd-numbered fiscal year must be credited to the account created by 87-1-601 (5) for~~  
5 ~~use in the manner prescribed for the development and maintenance of real property used for wildlife habitat. "~~

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7           **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
8 integral part of Title 87, chapter 1, part 2, and the provisions of Title 87, chapter 1, part 2, apply to [section 1].

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